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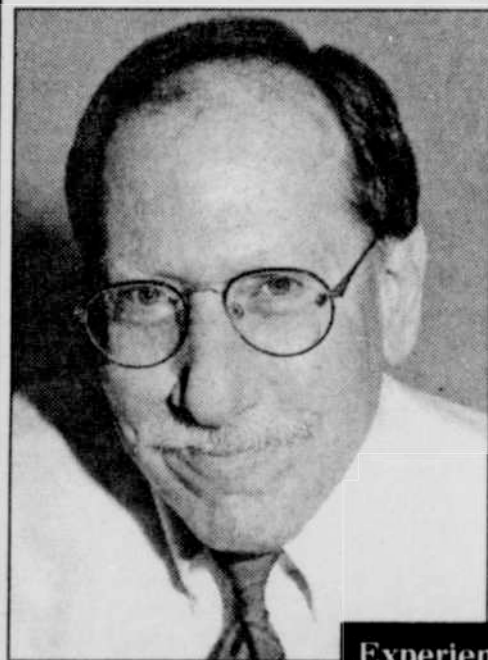
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NATIONAL news



Presidential candidate John Kerry supports an anti-gay amendment to the Massachusetts Constitution

MASSACHUSETTS

U.S. Sen. John Kerry, D-Mass., told *The Boston Globe* Feb. 26 that he supports an amendment to his state's constitution that would deny marriage rights to same-sex couples but allow civil unions. The frontrunner for the Democratic presidential nomination remains opposed to the Federal Marriage Amendment.

The Massachusetts amendment would overturn a decision by the state Supreme Judicial Court that gay men and lesbians must be allowed to marry. The amendment would instead create a separate and unequal institution for same-sex couples and would enshrine this discrimination in the Massachusetts Constitution.

The Human Rights Campaign called Kerry's endorsement "deeply disappointing." Civil unions do not provide the 1,049 federal benefits that only full marriage equality can guarantee.

"Civil unions do not provide Social Security survivor benefits—a system we pay into but that our survivors can't access," HRC president Cheryl Jacques said. "Civil unions do not allow an employee access to the Family and Medical Leave Act—a law that allows an employee to take time off of work to care for a sick loved one without fear of losing their job. Civil unions do not ensure fair taxation on a partner's health insurance or retirement savings. Civil unions are not portable and are currently recognized in only one state—Vermont. When a couple in a civil union leaves Vermont, they are strangers under the law."

NEW MEXICO

Sandoval County Clerk Victoria Dunlap granted marriage licenses to 26 same-sex couples Feb. 20 before New Mexico Attorney General Patricia Madrid issued an opinion later that day saying the unions were "invalid under state law," according to *The Associated Press*.

"We're working closely with local groups in New Mexico and will continue monitoring the exciting developments in Sandoval County," said Gary Buseck of Lambda Legal. "There are same-sex couples living in Sandoval County who are married, and their marriages deserve the same respect as everyone else's. We are looking at every legal option available to defend married same-sex couples in Sandoval County."

NEW YORK

New Paltz Mayor Jason West made his village the first town on the East Coast to perform marriages for same-sex couples Feb. 27. The American Civil Liberties Union, which is advising some of the first couples married, cheered his decision to perform the marriages.

"The mayor took an oath to uphold the New York Constitution," said



Jason West

James Esseks, litigation director of the ACLU's Lesbian and Gay Rights Project. "The constitution says, 'No person shall be denied the equal protection of the laws.' That means committed same-sex couples should not be shut out of the protections of marriage. The mayor is simply doing what he is sworn to do: uphold the state's highest law."

Gay and lesbian couples began gathering late in the morning Feb. 27 at New Paltz Village Hall following an announcement by West's office that he would begin performing ceremonies at noon. He performed about a dozen marriages.

"We've been waiting for this for a long time, and we feel blessed and awestruck to finally see this day," said Jennifer Smits, an English instructor at the State University of New York. She and her partner, restaurant chef Dana Wegener, married Feb. 27 after eight years together. "Dana and I have been talking about what it would like to be able to marry for four or five years now. We're not just happy for ourselves—we're happy for our families and for all the couples out there who have always dreamed of being able to be married and now may be able to."

New York state has 46,490 same-sex couples living in the same household, according to the 2000 census. New Paltz is a village of about 6,000 people and is located about 75 miles north of New York City.

In the first instance of a local government formally saying it will respect legal marriages of same-sex couples performed in San Francisco, Canada or elsewhere, the openly gay mayor of Nyack announced Feb. 27 that the town will "accord full legal rights and responsibilities" to married gay men and lesbians.

"Marriage strengthens the ties between people," John Shields said. "Committed relationships benefit not only each partner but also act as a stabilizing force in the community.... I don't understand how extending marriage to same-gender couples undermines traditional marriage or weakens community."

The Empire State Pride Agenda praised Shields' decision to honor all marriages. According to Ross Levi, director of public policy and government affairs, other public officials should follow his example.

"New York has always recognized marriages from other jurisdictions as valid," he said. "There is no reason that New York should do anything different in regards to same-sex couples and their families."

David Buckel, director of Lambda Legal's Marriage Project, added: "The mayor wants to do everything within his power to build a strong community and support families. Under New York law, mayors and other government officials can and should honor marriages that are legally performed in other states or countries."